

**§ 0.251 Authority delegated.**

(a) The General Counsel is delegated authority to act as the "designated agency ethics official."

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[FR Doc. 97-11445 Filed 5-1-97; 8:45 am]

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**FEDERAL COMMUNICATIONS COMMISSION****47 CFR Part 73**

[MM Docket No. 95-135; RM-8681]

**Radio Broadcasting Services; Honor, MI**

**AGENCY:** Federal Communications Commission.

**ACTION:** Final rule; petition for reconsideration.

**SUMMARY:** The Commission denies the petition filed by Roger L. Hoppe, II ("Hoppe") for reconsideration of the *Report and Order* in MM Docket No. 95-135, 61 FR 24243, May 14, 1996. The *Report and Order* allotted Channel 264A to Honor, Michigan, as a first local service and denied Hoppe's one step application and counterproposal as untimely to substitute Channel 264C2 for Channel 261A at Bear Lake, Michigan. The Commission has affirmed the action taken in the *Report and Order* that a first local service at Honor, Michigan, will better serve the public interest than expanded service at Bear Lake, Michigan.

**EFFECTIVE DATE:** May 2, 1997.

**FOR FURTHER INFORMATION CONTACT:** Kathleen Scheuerle, Mass Media Bureau, (202) 418-2180.

**List of Subjects in 47 CFR Part 73**

Radio broadcasting.

Federal Communications Commission.

**Douglas W. Webbink,**

*Chief, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 97-11128 Filed 5-1-97; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION****Research and Special Programs Administration****49 CFR Parts 107 and 190**

[Docket No. RSP-3]

RIN 2137-AD00

**Availability of Interpretations of Hazardous Materials and Pipeline Safety Regulations**

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Final rule.

**SUMMARY:** In this final rule, RSPA establishes two new informational sections. The new sections give notice of the availability of informal guidance and interpretive assistance concerning the Federal hazardous materials transportation law and the Hazardous Materials Regulations, as well as the Federal pipeline safety law and the pipeline safety regulations.

**EFFECTIVE DATE:** The effective date of these amendments is May 2, 1997.

**FOR FURTHER INFORMATION CONTACT:** Nancy E. Machado, Office of the Chief Counsel, (202) 366-4400, RSPA, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001 (for hazardous materials transportation issues); or, Paul Sanchez, Office of the Chief Counsel, (202) 366-4400, RSPA, Department of Transportation, 400 Seventh Street SW., Washington, DC 20590-0001 (for pipeline safety issues).

**SUPPLEMENTARY INFORMATION:****Background**

On March 29, 1996, the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), was enacted as Title II of the Contract with America Advancement Act of 1996, Pub. L. 104-121. Section 213(b) of SBREFA requires that, prior to March 29, 1997, each Federal agency that regulates small entities establish a program to answer inquiries by small entities concerning information on, advice about, and compliance with, statutes and agency regulations, taking into account specific facts supplied by the small entity. That section further provides that guidance given to a small entity may be used as evidence of the reasonableness or appropriateness of proposed fines, penalties, or damages in civil and administrative actions. Finally, the section mandates that each Federal agency report to Congress, by March 29, 1998, on the scope of its program; this report must include the number of small

entities obtaining guidance, and the achievements of the agency's program.

**Hazardous Materials Safety—Part 107**

The Federal hazardous material transportation law (Federal hazmat law), 49 U.S.C. 5101-5127, directs the Secretary of Transportation to prescribe regulations for the safe transportation of hazardous materials in commerce. 49 U.S.C. 5103. The Research and Special Programs Administration (RSPA) is the administration within the Department of Transportation primarily responsible for implementing the Federal hazmat law. 49 CFR 1.53. RSPA does so through the Hazardous Materials Regulations (HMR; 49 CFR Parts 171-180).

The Federal hazmat law and the HMR apply to a person who transports hazardous materials in commerce; causes hazardous material to be transported in commerce; or manufactures, fabricates, marks, maintains, reconditions, repairs, or tests a packaging or container which is represented, marked, certified, or sold by that person as qualified for use in transporting a hazardous material in commerce. Many of the persons involved in these regulated activities are small entities, including small business concerns and individuals.

RSPA's Office of Hazardous Materials Safety (OHMS) maintains a telephonic information line dedicated to answering questions concerning all aspects of regulated hazardous materials activities. Telephonic assistance is available from 9:00 a.m. to 4:00 p.m. Eastern time, Monday through Friday, except Federal holidays. At all other times, callers are requested to leave a recorded message, which is answered by the next business day.

The information line may be reached via a local, Washington, D.C. telephone number (202-366-4488), or through a toll-free "800" number (1-800-467-4922). Additionally, a written response to a question on the Hazardous Materials Regulations may be obtained by writing to RSPA's Office of Hazardous Materials Standards.

Information may also be obtained by contacting OHMS via the Internet (<http://www.volpe.dot.gov/ohm>). Information currently or soon to be available from OHMS' internet home page includes: (1) Recent rulemakings published by OHMS, in both text and image files; (2) Information about upcoming training classes provided by DOT; (3) The Emergency Response Guidebook, searchable by identification number and shipping name; (4) The Hazardous Materials Registration form, with guidance; and (5) The Hazardous